

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rainer Walter, et al.) Art Unit: 1626
Serial No. : 10/646,423) Examiner: Anderson, R.
Filed : August 22, 2003) Confirmation No.: 9165
For : NEW SUBSTITUTED INDOLINONES, PREPARATION THEREOF AND
THEIR USE AS PHARMACEUTICAL COMPOSITIONS
Docket No. : 1/1161-2-D2

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office action mailed on September 12, 2005, please enter the following elections.

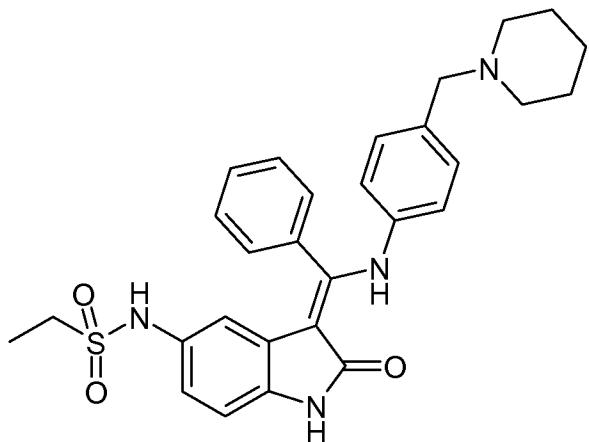
It is hereby petitioned that the period permitted for response be extended by 3 months, pursuant to 37 CFR 1.136(a), so that it will expire on January 12, 2006.

ELECTIONS

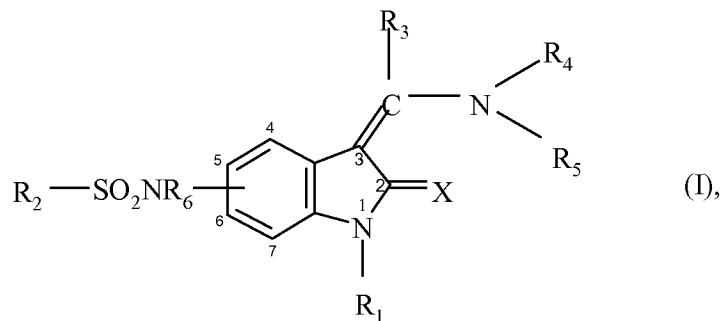
Applicants hereby elect to prosecute claims directed to the invention of Group I (claims 1-13, drawn to products of formula (I), variously classified.

Applicants further elect the following single disclosed species: (Z)-3-{1-[4-(piperidinomethyl)-phenylamino]-1-phenyl-methylidene}-5-ethylsulphonylamino-2-indolinone.

This compound is specifically disclosed in the specification at page 62, in the 1st row of Table II on that page. It has the following structural formula:



The elected species is a compound of the formula I



wherein:

- X is an oxygen atom,
- R₁ is a hydrogen atom,
- R₂ is an ethyl group,
- R₃ is a phenyl group,
- R₄ is a phenyl group substituted by R₇,
- R₅ is a hydrogen atom,
- R₆ is a hydrogen atom, and
- R₇ is a piperidinomethyl group.

The above elections are made without traverse.

Respectfully submitted,

/Alan Stempel/

Alan Stempel
Attorney for Applicant(s)
Reg. No. 28,991

December 17, 2005
Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road
P.O. Box 368
Ridgefield, CT. 06877
Tel.: (203) 798-4868